

GRETCHEN WHITMER GOVERNOR

STATE OF MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS LANSING

ORLENE HAWKS DIRECTOR

MICHIGAN BOARD OF MEDICINE DISCIPLINARY SUBCOMMITTEE

MAY 3, 2023 MEETING

APPROVED MINUTES

In accordance with the Open Meetings Act, 1976 PA 267, as amended, the Michigan Board of Medicine Disciplinary Subcommittee met on May 3 2023, at 611 West Ottawa Street, Upper-Level Conference Room 3, Lansing, Michigan 48933.

CALL TO ORDER

Dondre Young, Public Member, Chairperson, called the meeting to order at 8:36 a.m.

ROLL CALL

Members Present: Dondre Young, Public Member, Chairperson

Holly Gilmer, MD

Cassandra Jones-McBryde, Public Member (arrived 9:07 a.m.)

Mustafa Mark Hamed, MD, MBA, MPH

Surya Nalamati, MD

Members Absent: None

Staff Present: Laury Brown, Senior Analyst, Compliance Section

Michele Wagner-Gutkowski, JD, Assistant Attorney General

Stephanie Wysack, Board Support Technician,

Boards and Committees Section

APPROVAL OF AGENDA

MOTION by Nalamati, seconded by Gilmer, to approve Amended #2 Agenda, with the removal of item 5.A.5. and 9.

A voice vote followed.

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APPROVAL OF MINUTES

MOTION by Hamed, seconded by Nalamati, to approve the March 15, 2023, meeting minutes, as written.

A voice vote followed.

MOTION PREVAILED

REGULATORY CONSIDERATIONS

Consent Orders and Stipulations

Husam Thamin Abed, MD

MOTION by Gilmer, seconded by Hamed, to accept the Consent Order and Stipulation.

A roll call vote was taken: Yeas: Gilmer, Hamed, Nalamati, Young

Nays: None

MOTION PREVAILED

Daniel Joshua Castro, MD

MOTION by Gilmer, seconded by Nalamati, to accept the Consent Order and Stipulation.

A roll call vote was taken: Yeas: Gilmer, Hamed, Nalamati, Young

Nays: None

MOTION PREVAILED

Dale A. D'Mello, MD

MOTION by Nalamati, seconded by Gilmer, to accept the Consent Order and Stipulation.

A roll call vote was taken: Yeas: Gilmer, Hamed, Nalamati, Young

Nays: None

MOTION PREVAILED

John Louis Davis, Jr., MD

MOTION by Gilmer, seconded by Nalamati, to accept the Consent Order and Stipulation.

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A roll call vote was taken: Yeas: Gilmer, Hamed, Nalamati, Young

Nays: None

MOTION PREVAILED

James P. Eisenberg, MD

MOTION by Nalamati, seconded by Gilmer, to accept the Consent Order and Stipulation.

A roll call vote was taken: Yeas: Gilmer, Hamed, Nalamati, Young

Nays: None

MOTION PREVAILED

Mark Adel Faltaous, MD

MOTION by Gilmer, seconded by Nalamati, to accept the Consent Order and Stipulation.

A roll call vote was taken: Yeas: Gilmer, Hamed, Nalamati, Young

Nays: None

MOTION PREVAILED

Surendra Kelwala, MD

MOTION by Nalamati, seconded by Hamed, to accept the Consent Order and Stipulation.

A roll call vote was taken: Yeas: Gilmer, Hamed, Nalamati, Young

Nays: None

MOTION PREVAILED

David Lapides, MD

MOTION by Gilmer, seconded by Nalamati, to accept the Consent Order and Stipulation.

A roll call vote was taken: Yeas: Gilmer, Hamed, Nalamati, Young

Nays: None

MOTION PREVAILED

Pritesh Vijay Lohar, MD

MOTION by Gilmer, seconded by Nalamati, to accept the Consent Order and Stipulation.

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A roll call vote was taken: Yeas: Gilmer, Hamed, Nalamati, Young

Nays: None

MOTION PREVAILED

Shahid Masood, MD

MOTION by Nalamati, seconded by Gilmer, to accept the Consent Order and Stipulation.

A roll call vote was taken: Yeas: Gilmer, Hamed, Nalamati, Young

Nays: None

MOTION PREVAILED

Michael Thomas Owczarzak, MD

MOTION by Gilmer, seconded by Hamed, to accept the Consent Order and Stipulation.

A roll call vote was taken: Yeas: Gilmer, Hamed, Nalamati, Young

Nays: None

MOTION PREVAILED

Gary Ronald Pierce, MD

Hamed recused himself.

MOTION by Nalamati, seconded by Gilmer, to accept the Consent Order and Stipulation.

A roll call vote was taken: Yeas: Gilmer, Nalamati, Young

Nays: None Recuse: Hamed

MOTION PREVAILED

Shihab Adel Rabh, MD

MOTION by Nalamati, seconded by Gilmer, to accept the Consent Order and Stipulation.

A roll call vote was taken: Yeas: Gilmer, Hamed, Nalamati, Young

Nays: None

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Kashif Ghulam Rasool, MD

MOTION by Gilmer, seconded by Hamed, to accept the Consent Order and Stipulation.

A roll call vote was taken: Yeas: Gilmer, Hamed, Nalamati, Young

Nays: None

MOTION PREVAILED

Hussein Toufic Saad, MD

Hamed recused himself.

MOTION by Gilmer, seconded by Nalamati, to discuss.

A voice vote followed.

MOTION PREVAILED

Discussion was held.

MOTION by Gilmer, seconded by Nalamati, to accept the Consent Order and Stipulation.

A roll call vote was taken: Yeas: Gilmer, Nalamati, Young

Nays: None Recuse: Hamed

MOTION PREVAILED

Lobelia Samavati, MD

Hamed recused himself.

MOTION by Gilmer, seconded by Nalamati, to accept the Consent Order and Stipulation.

A roll call vote was taken: Yeas: Gilmer, Nalamati, Young

Nays: None Recuse: Hamed

MOTION PREVAILED

Vinita Sain Sharma, MD

Nalamati recused himself.

MOTION by Hamed, seconded by Gilmer, to accept the Consent Order and Stipulation.

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A roll call vote was taken: Yeas: Gilmer, Hamed, Young

Nays: None

Recuse: Nalamati

MOTION PREVAILED

Zahid M. Sheikh, MD

MOTION by Nalamati, seconded by Gilmer, to accept the Consent Order and Stipulation.

A roll call vote was taken: Yeas: Gilmer, Hamed, Nalamati, Young

Nays: None

MOTION PREVAILED

Moehanid Najib Talia, MD

MOTION by Gilmer, seconded by Nalamati, to accept the Consent Order and Stipulation.

A roll call vote was taken: Yeas: Gilmer, Hamed, Nalamati, Young

Nays: None

MOTION PREVAILED

Shazia Wadood, MD

MOTION by Hamed, seconded by Gilmer, to accept the Consent Order and Stipulation.

A roll call vote was taken: Yeas: Gilmer, Hamed, Nalamati, Young

Nays: None

MOTION PREVAILED

Kenneth Jeffrey Woodside, MD

MOTION by Gilmer, seconded by Hamed, to accept the Consent Order and Stipulation.

A roll call vote was taken: Yeas: Gilmer, Hamed, Nalamati, Young

Nays: None

Recommendations for Dismissal

Farhan Ansari, MD

MOTION by Gilmer, seconded by Hamed, to accept the Recommendation for Dismissal.

A roll call vote was taken: Yeas: Gilmer, Hamed, Jones-McBryde, Nalamati, Young

Nays: None

MOTION PREVAILED

Rahul Bart Sangal, MD

MOTION by Gilmer, seconded by Hamed, to accept the Recommendation for Dismissal.

A roll call vote was taken: Yeas: Gilmer, Hamed, Jones-McBryde, Nalamati, Young

Nays: None

MOTION PREVAILED

<u>Disciplinary Subcommittee's Findings of Fact and Conclusions of Law</u>

Eleanore Kue, MD

Nalamati recused himself.

MOTION by Gilmer, seconded by Hamed, to accept the Disciplinary Subcommittee's Findings of Fact and Conclusions of Law.

A roll call vote was taken: Yeas: Gilmer, Hamed, Jones-McBryde, Young

Nays: None

Recuse: Nalamati

MOTION PREVAILED

MOTION by Gilmer, seconded by Hamed, to discuss.

A voice vote followed.

MOTION PREVAILED

MOTION by Gilmer, seconded by Jones-McBryde, to place the Respondent on probation for one year to include: a) Quarterly meetings with an approved physician reviewer, who shall review a minimum of 25 randomly selected patient records, with a particular focus on

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controlled substance prescribing practices and coordination of care. Reviewer shall provide four quarterly reports; and b) Minimum of 30 hours of pre-approved continuing medical education consisting of 20 hours in safe controlled substance prescribing and 10 hours in effective communication, which will not count towards license renewal requirements. Respondent is fined \$2,000.00 to be paid within one year.

A roll call vote was taken: Yeas: Gilmer, Hamed, Jones-McBryde, Young

Nays: None

Recuse: Nalamati

MOTION PREVAILED

Proposals for Decision

Rebecca K. Motley, MD

MOTION by Nalamati, seconded by Gilmer, to discuss.

A voice vote followed.

MOTION PREVAILED

Discussion was held.

MOTION by Nalamati, seconded by Gilmer, to accept the Proposal for Decision and impose sanctions.

A roll call vote was taken: Yeas: Gilmer, Hamed, Jones-McBryde, Nalamati, Young

Nays: None

MOTION PREVAILED

MOTION by Gilmer, seconded by Nalamati, to discuss.

A voice vote followed.

MOTION PREVAILED

Discussion was held.

MOTION by Nalamati, seconded by Gilmer, Respondent is placed on probation for one year to include: a) Quarterly meetings with an approved physician reviewer, who shall review a minimum of 25 randomly selected patient records, with a particular focus on controlled substance prescribing practices and documentation. Reviewer shall provide four quarterly reports; and b) Minimum of 25 hours of pre-approved continuing medical education consisting of 20 hours in safe controlled substance prescribing and 5 hours in medical

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record keeping/documentation, which will not count towards license renewal requirements. Respondent is fined \$1,000.00 to be paid within one year.

A roll call vote was taken: Yeas: Gilmer, Hamed, Jones-McBryde, Nalamati, Young

Nays: None

MOTION PREVAILED

Jeffrey John Vrielink, MD

MOTION by Gilmer, seconded by Nalamati, to discuss.

A voice vote followed.

MOTION PREVAILED

Discussion was held.

MOTION by Gilmer, seconded by Nalamati, to accept the Proposal for Decision in part and reject in part, and tabled the matter to draft the DSC's Findings of Fact and Conclusions of Law consistent with their discussion.

A roll call vote was taken: Yeas: Gilmer, Hamed, Jones-McBryde, Nalamati, Young

Navs: None

MOTION PREVAILED

PUBLIC COMMENT

Pastor Alton Cooper wanted to speak on Eleanore Kue. Wagner-Gutkowski stated that this was not the forum for any comment on regulatory matters.

ANNOUNCEMENTS

The next regularly scheduled meeting will be held July 19, 2023, at 8:30 a.m. at 611 West Ottawa Street, Upper-Level Conference Center Room 3, Lansing, Michigan 48933.

ADJOURNMENT

MOTION by Hamed, seconded by Nalamati, to adjourn the meeting at 9:56 a.m.

A voice vote followed.

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Minutes approved by the Board on: July 19, 2023

Prepared by: Stephanie Wysack, Board Support Technician Bureau of Professional Licensing

May 4, 2023